

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

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CRWP-399 of 2016

Decided on : 25.05.2016

Gurnam Ram

... Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM : HON'BLE MR.JUSTICE HARI PAL VERMA

Present : Mr.Deepak Jindal, Advocate for
Mr.Dhiraj Chawla, Advocate
for the petitioner.
Mr.Munish Bansal, DAG, Haryana.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Hari Pal Verma, J. (Oral)

Prayer in this petition filed under Article 226 of the Constitution of India is for issuance of a writ in the nature of Habeas Corpus for release of the detenue, namely, *Amanpreet Mehmi @ Rocky son of Gurnam Ram, Sukhwinder Singh son of Gurmukh Singh and Bikram Singh son of Gurmukh Singh* from the illegal custody of respondents No.3 and 4.

Considering the plea that the alleged detenues were in the illegal custody of the respondents, this Court has issued notice of motion on 20.03.2016 for 01.04.2016.

Reply on behalf of respondents No.1 to 4, has already been filed. It is mentioned in the reply that on the complaint made by Dr. (Mrs.) Samita Sirohi, Vigilance Officer, National Dairy Research Institute, Karnal against Sukhwinder Singh, 34/2-B, Gandhi Nagar, Karnal, Miss Manpreet Kaur daughter of Gurnam Ram resident of village Ratainda, District Nawan Shehar (Pb.), Vikram Singh resident of House No.34/2-B, Gandhi Nagar

Karnal, Mr.Amrendera Kumar Srivastava, resident of House No.499-L, Model Town, Karnal and Deepak Kumar, resident of Qr.No.4, NDRI Campus, Karnal, FIR No.195, dated 08.03.2016, under Section 120-B, 409, 420, 467, 468, 471 of IPC was registered at Police Station Civil Lines, Karnal. In the reply, contents of FIR have been mentioned to show that there are serious allegations against the alleged detainees who in connivance with the other co accused have withdrawn Rs.1.23 crores from Institute Account, Nicra (Project). The alleged detainee namely Sukhwinder Singh was arrested only on 12.04.2016 and in order to mount pressure, the present criminal writ petition was filed seeking writ in the nature of Habeas Corpus for the release of the said detainees.

This Court finds that the present criminal writ petition in the nature of Habeas Corpus is an attempt to mount pressure on the Investigating Agency as there was already a case against the detainees wherein, it is alleged that in connivance with the co-accused, a hefty amount of Rs.1.23 crores was withdrawn from the Institute Account, Nicra (Project).

Consequently finding no merits, this petition is dismissed with costs of Rs.10,000/- to be recovered from the petitioners. The same be deposited with the Haryana State Legal Services Authority within one month from today and compliance report thereof would be brought to the notice of this Court.

Registry is directed to list this case on 29.07.2016 for submission of the compliance report.

[Hari Pal Verma]
Judge